

**Affidavit to Accompany
Motion for Leave to Appeal in Forma Pauperis**

District Court No. 04-12442 MELAppeal No. 04-2731WILLIAM J. CURRY

v.

Commonwealth of Massachusetts**Affidavit in Support of Motion****Instructions**

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Signed: William J. CurryDate: January 6, 2005

My issues on appeal are:

SEE LEGAL paper workon docket NO. 04-12442 filed in US District Court
There are (12) Twelve Issues on this Appeal.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>60.00</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Self-employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Gifts	\$ <u>N/A</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Alimony	\$ <u>N/A</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Child support	\$ <u>N/A</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Unemployment payments	\$ <u>N/A</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Other (specify): <u>N/A</u>	\$ <u>N/A</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Total Monthly income:	\$ <u>60.00</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>

2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions)

Employer	Address	Dates of Employment	Gross monthly pay
<u>Old Colony</u>	<u>1 Administrators</u>	<u>6/04 to present</u>	<u>\$60.00</u>
<u>Correctional</u>	<u>road</u>	<u> </u>	<u> </u>
<u>Center</u>	<u>Bridge Water, MA</u>	<u> </u>	<u> </u>

3. List your spouses's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions)

Employer	Address	Dates of Employment	Gross monthly pay
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

4. How much cash do you and your spouse have? \$ 0

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
<u>NA</u>	<u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
<u>NA</u>	<u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
<u>NA</u>	<u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you or your spouse owns. Do not list clothing and ordinary household furnishings.

Home (Value)	Other real estate (Value)	Motor Vehicle #1 (Value)
<u>NA</u>	<u>NA</u>	Make & year: <u>NA</u>
		Model: <u>NA</u>
		Registration#: <u>NA</u>
Motor Vehicle #2 (Value)	Other assets (Value)	Other assets (Value)
Make & year: <u>NA</u>	<u>NA</u>	<u>NA</u>
Model: <u>NA</u>	<u>NA</u>	<u>NA</u>
Registration#: <u>NA</u>	<u>NA</u>	<u>NA</u>

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>NA</u>	<u>NA</u>	<u>NA</u>

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>NA</u>	<u>NA</u>	<u>NA</u>

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Spouse
Rent or home mortgage payment (include lot rented for mobile home)	\$ <u>N/A</u>	\$ <u>N/A</u>
Are any real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and Telephone)	\$ <u>/</u>	\$ <u>/</u>
Home maintenance (repairs and upkeep)	\$ <u>/</u>	\$ <u>/</u>
Food	\$ <u>/</u>	\$ <u>/</u>
Clothing	\$ <u>/</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>/</u>	\$ <u>/</u>
Medical and dental expenses	\$ <u>/</u>	\$ <u>/</u>
Transportation (not including motor vehicle payments)	\$ <u>/</u>	\$ <u>/</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>/</u>	\$ <u>/</u>
Insurance (not deducted from wages or included in Mortgage payments)	\$ <u>/</u>	\$ <u>/</u>
Homeowner's or renter's	\$ <u>/</u>	\$ <u>/</u>
Life	\$ <u>/</u>	\$ <u>/</u>
Health	\$ <u>/</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>/</u>	\$ <u>/</u>
Other: _____	\$ <u>/</u>	\$ <u>/</u>
Taxes (not deducted from wages or included in Mortgage payments)(specify): _____	\$ <u>/</u>	\$ <u>/</u>
Installment payments	\$ <u>/</u>	\$ <u>/</u>
Motor Vehicle	\$ <u>/</u>	\$ <u>/</u>
Credit card (name): _____	\$ <u>/</u>	\$ <u>/</u>
Department store (name): _____	\$ <u>/</u>	\$ <u>/</u>
Other: _____	\$ <u>/</u>	\$ <u>/</u>

Alimony, maintenance, and support paid to others

\$

\$

Regular expenses for operations of business, profession, or farm (attach detailed statement)

\$

\$

Other (specify): N/A

\$

\$

Total monthly expenses:

\$

\$

9. Do you expect any major changes to your monthly income or expenses in your assets or liabilities during the next 12 months?

☐ Yes ☒ No

If yes, describe on an attached sheet.

10. Have you paid — or will you be paying — an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☒ No

If yes, how much? \$ N/A

If yes, state the attorney's name, address, and telephone number:

N/A

11. Have you paid — or will you be paying — anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☒ NoIf yes, how much? \$ N/A

If yes, state the person's name, address, and telephone number:

N/A

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

- 1) I AM not Working on a Permanent Basis
- 2) I have asked the Court to Appoint me an Attorney.
- 3) I have submitted a financial report from OCC, indicating my source of income.
- 4) During the Trial, my Appeal, I was appointed Counsel. Currently, I AM pursuing this Appeal on a pro-se basis.

13. State the address of your legal residence.

Old Colony Correctional Center

1 Administration road, Bridgewater, MASS 02324

Your daytime phone number: (508) ?

Your age: 34

Your years of schooling: H.S. Dipl. ~~██████████~~ Community College

~~██████████~~ Bunker Hill

(in 1995)

Did not finish college

Attended

Bunker Hill

Community College

in Charlestown, MA

in the fall of

1995.

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION
Inmate Transaction Report**

Date : 20041228 12:37

Commit# : W65351
Name : CURRY, WILLIAM, .
Inst : OLD COLONY CORRECTIONAL CENTER
Block : ATTUCKS II
Cell/Bed : G22 /T

Page : 1

OLD COLONY CORRECTIONAL CENTER

Statement From 20040601
To 20041228

*JUNE of
2004
to
DEC 2004*

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
Total Transaction before this Period :						\$632.15	\$622.88	\$0.00	\$0.00
20040601 22:30	CN - Canteen	2879023		OCC	~Canteen Date : 20040601	\$0.00	\$8.94	\$0.00	\$0.00
20040609 09:38	ML - Mail	2915370		STH	~SARAH CURRY	\$20.00	\$0.00	\$0.00	\$0.00
20040609 09:38	TI - Transfer from Institution	2915371		STH	~Associate Receipt Number is 2915370	\$0.00	\$20.00	\$0.00	\$0.00
20040609 09:38	TI - Transfer from Institution	2915372		OCC	~Associate Receipt Number is 2915370	\$20.00	\$0.00	\$0.00	\$0.00
20040610 07:35	IS - Interest	2926635		OCC		\$0.02	\$0.00	\$0.00	\$0.00
20040622 22:30	CN - Canteen	2988242		OCC	~Canteen Date : 20040622	\$0.00	\$3.16	\$0.00	\$0.00
20040629 22:30	CN - Canteen	3015735		OCC	~Canteen Date : 20040629	\$0.00	\$6.57	\$0.00	\$0.00
20040706 22:30	CN - Canteen	3041523		OCC	~Canteen Date : 20040706	\$0.00	\$6.04	\$0.00	\$0.00
20040707 23:01	PY - Payroll	3051095		OCC	~20040620 To 20040626	\$6.00	\$0.00	\$0.00	\$0.00
20040713 17:10	IS - Interest	3074626		OCC		\$0.01	\$0.00	\$0.00	\$0.00
20040713 22:30	CN - Canteen	3087547		OCC	~Canteen Date : 20040713	\$0.00	\$3.94	\$0.00	\$0.00
20040714 23:01	PY - Payroll	3095860		OCC	~20040627 To 20040703	\$7.50	\$0.00	\$0.00	\$0.00
20040721 23:02	PY - Payroll	3127921		OCC	~20040704 To 20040710	\$13.50	\$0.00	\$0.00	\$0.00
20040728 23:03	PY - Payroll	3155891		OCC	~20040711 To 20040717	\$15.00	\$0.00	\$0.00	\$0.00
20040804 22:30	CN - Canteen	3179368		OCC	~Canteen Date : 20040803	\$0.00	\$25.83	\$0.00	\$0.00
20040804 23:03	PY - Payroll	3184387		OCC	~20040718 To 20040724	\$13.50	\$0.00	\$0.00	\$0.00
20040810 22:30	CN - Canteen	3201983		OCC	~Canteen Date : 20040810	\$0.00	\$4.18	\$0.00	\$0.00
20040811 17:03	IS - Interest	3208668		OCC		\$0.03	\$0.00	\$0.00	\$0.00
20040811 23:02	PY - Payroll	3228196		OCC	~20040725 To 20040731	\$7.50	\$0.00	\$0.00	\$0.00
20040817 22:30	CN - Canteen	3246395		OCC	~Canteen Date : 20040817	\$0.00	\$11.08	\$0.00	\$0.00
20040818 23:02	PY - Payroll	3256975		OCC	~20040801 To 20040807	\$15.00	\$0.00	\$0.00	\$0.00
20040824 22:30	CN - Canteen	3276069		OCC	~Canteen Date : 20040824	\$0.00	\$14.04	\$0.00	\$0.00
20040825 11:03	EX - External Disbursement	3277338	93823	OCC	~T.V. GUIDE	\$0.00	\$13.00	\$0.00	\$0.00
20040825 23:02	PY - Payroll	3285404		OCC	~20040808 To 20040814	\$15.00	\$0.00	\$0.00	\$0.00
20040831 22:30	CN - Canteen	3303386		OCC	~Canteen Date : 20040831	\$0.00	\$16.95	\$0.00	\$0.00
20040901 23:03	PY - Payroll	3313548		OCC	~20040815 To 20040821	\$15.00	\$0.00	\$0.00	\$0.00
20040907 22:30	CN - Canteen	3327880		OCC	~Canteen Date : 20040907	\$0.00	\$5.50	\$0.00	\$0.00
20040908 16:50	IS - Interest	3334879		OCC		\$0.05	\$0.00	\$0.00	\$0.00
20040908 23:03	PY - Payroll	3354736		OCC	~20040822 To 20040828	\$15.00	\$0.00	\$0.00	\$0.00
20040914 22:30	CN - Canteen	3373638		OCC	~Canteen Date : 20040914	\$0.00	\$20.66	\$0.00	\$0.00

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF CORRECTION

Inmate Transaction Report

Date : 20041228 12:37

Commit# : W65351

OLD COLONY CORRECTIONAL CENTER

Page : 3

Name : CURRY, WILLIAM, .

Statement From 20040601

Inst : OLD COLONY CORRECTIONAL CENTER

To 20041228

Block : ATTUCKS II

Cell/Bed : G22 /T

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20041206 08:10	TI - Transfer from Institution	3766760		STH	~Associate Receipt Number is 3766757	\$0.00	\$19.00	\$0.00	\$0.00
20041206 08:10	TI - Transfer from Institution	3766761		OCC	~Associate Receipt Number is 3766757	\$19.00	\$0.00	\$0.00	\$0.00
20041207 17:00	IS - Interest	3779034		OCC		\$0.09	\$0.00	\$0.00	\$0.00
20041207 22:30	CN - Canteen	3794323		OCC	~Canteen Date : 20041207	\$0.00	\$6.34	\$0.00	\$0.00
20041208 12:28	EX - External Disbursement	3796820	96205	OCC	~BRIDGEWATER NEWS	\$0.00	\$2.50	\$0.00	\$0.00
20041208 23:06	PY - Payroll	3804229		OCC	~20041121 To 20041127	\$15.00	\$0.00	\$0.00	\$0.00
20041213 22:30	CN - Canteen	3822303		OCC	~Canteen Date : 20041213	\$0.00	\$26.66	\$0.00	\$0.00
20041215 11:46	EX - External Disbursement	3831265	96364	OCC	~BRIDGEWATER NEWS	\$0.00	\$2.50	\$0.00	\$0.00
20041215 23:04	PY - Payroll	3838788		OCC	~20041128 To 20041204	\$15.00	\$0.00	\$0.00	\$0.00
20041221 22:30	CN - Canteen	3864009		OCC	~Canteen Date : 20041221	\$0.00	\$7.35	\$0.00	\$0.00
20041222 23:04	PY - Payroll	3875569		OCC	~20041205 To 20041211	\$15.00	\$0.00	\$0.00	\$0.00
20041224 13:04	EX - External Disbursement	3886811	96563	OCC	~BRIDGEWATER NEWS	\$0.00	\$2.50	\$0.00	\$0.00
						\$459.87	\$409.22	\$0.00	\$0.00

Balance as of ending date : Personal \$59.92 Savings \$0.00

Current Balances :

Personal	Savings	Freeze	Loan	Restitution	Sentence
\$59.92	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF CORRECTION

Inmate Transaction Report

Date : 20041228 12:37

Commit# : W65351

OLD COLONY CORRECTIONAL CENTER

Page : 2

Name : CURRY, WILLIAM, ,

Statement From 20040601

Inst : OLD COLONY CORRECTIONAL CENTER

To 20041228

Block : ATTUCKS II

Cell/Bed : G22 /T

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20040815 23:02	PY - Payroll	3384508		OCC	~20040829 To 20040904	\$13.50	\$0.00	\$0.00	\$0.00
20040921 08:42	ML - Mail	3399837		STH	~SARAH CURRY	\$20.00	\$0.00	\$0.00	\$0.00
20040921 08:42	TI - Transfer from Institution	3399838		STH	~Associate Receipt Number is 3399837	\$0.00	\$20.00	\$0.00	\$0.00
20040921 08:42	TI - Transfer from Institution	3399839		OCC	~Associate Receipt Number is 3399837	\$20.00	\$0.00	\$0.00	\$0.00
20040922 23:03	PY - Payroll	3413014		OCC	~20040905 To 20040911	\$15.00	\$0.00	\$0.00	\$0.00
20040928 22:30	CN - Canteen	3430987		OCC	~Canteen Date : 20040928	\$0.00	\$4.72	\$0.00	\$0.00
20040929 23:03	PY - Payroll	3440109		OCC	~20040912 To 20040918	\$13.50	\$0.00	\$0.00	\$0.00
20041001 11:31	IC - Transfer from Inmate to Club A/c	3447852		OCC	~HAIRCUT REVENUE - Z3~HAIRCUT,REVENUE - Z3	\$0.00	\$1.50	\$0.00	\$0.00
20041004 22:30	CN - Canteen	3453133		OCC	~Canteen Date : 20041004	\$0.00	\$43.26	\$0.00	\$0.00
20041006 23:04	PY - Payroll	3471068		OCC	~20040919 To 20040925	\$15.00	\$0.00	\$0.00	\$0.00
20041013 16:59	IS - Interest	3500167		OCC		\$0.07	\$0.00	\$0.00	\$0.00
20041013 23:02	PY - Payroll	3518309		OCC	~20040926 To 20041002	\$15.00	\$0.00	\$0.00	\$0.00
20041019 22:30	CN - Canteen	3541836		OCC	~Canteen Date : 20041019	\$0.00	\$8.77	\$0.00	\$0.00
20041020 23:02	PY - Payroll	3550669		OCC	~20041003 To 20041009	\$12.00	\$0.00	\$0.00	\$0.00
20041025 22:30	CN - Canteen	3565149		OCC	~Canteen Date : 20041025	\$0.00	\$10.85	\$0.00	\$0.00
20041027 23:03	PY - Payroll	3580415		OCC	~20041010 To 20041016	\$13.50	\$0.00	\$0.00	\$0.00
20041102 22:30	CN - Canteen	3601272		OCC	~Canteen Date : 20041102	\$0.00	\$10.02	\$0.00	\$0.00
20041103 12:46	IC - Transfer from Inmate to Club A/c	3606080		OCC	~CLOTHING-KCN WASH ACCOUNT - Z5~KCN WASH ACCOUNT - Z5	\$0.00	\$15.38	\$0.00	\$0.00
20041103 14:32	IC - Transfer from Inmate to Club A/c	3606525		OCC	~APPLIANCE-CANTEEN CORP. WASH ACCOUNT - Z6~CANTEEN CORP. WASH ACCOUNT - Z6	\$0.00	\$17.00	\$0.00	\$0.00
20041103 23:03	PY - Payroll	3613410		OCC	~20041017 To 20041023	\$15.00	\$0.00	\$0.00	\$0.00
20041108 22:30	CN - Canteen	3634064		OCC	~Canteen Date : 20041108	\$0.00	\$9.97	\$0.00	\$0.00
20041110 16:46	IS - Interest	3645923		OCC		\$0.10	\$0.00	\$0.00	\$0.00
20041110 23:05	PY - Payroll	3664126		OCC	~20041024 To 20041030	\$15.00	\$0.00	\$0.00	\$0.00
20041115 22:30	CN - Canteen	3678448		OCC	~Canteen Date : 20041115	\$0.00	\$13.17	\$0.00	\$0.00
20041117 23:03	PY - Payroll	3693747		OCC	~20041031 To 20041106	\$15.00	\$0.00	\$0.00	\$0.00
20041124 23:03	PY - Payroll	3727639		OCC	~20041107 To 20041113	\$15.00	\$0.00	\$0.00	\$0.00
20041130 22:30	CN - Canteen	3742568		OCC	~Canteen Date : 20041130	\$0.00	\$26.84	\$0.00	\$0.00
20041201 23:04	PY - Payroll	3753488		OCC	~20041114 To 20041120	\$15.00	\$0.00	\$0.00	\$0.00
20041206 08:10	ML - Mail	3766757		STH	~SARAH CURRY	\$20.00	\$0.00	\$0.00	\$0.00
20041206 08:10	MA - Maintenance and Administration	3766758		STH	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00